

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

JAMES E. McCOY, )  
Plaintiff )  
vs. ) Civil Action No. 07-515  
PRISON HEALTH SERVICES; DR. R. ) Magistrate Judge Amy Reynolds Hay  
McGRAPH, Physician at S.C.I. Somerset; E )  
SIMKINS, Physicians Assistant at S.C.I. )  
Somerset; Individually and in their Official )  
capacities, )  
Defendants )

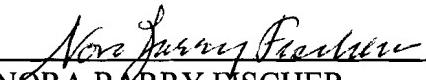
**O R D E R**

AND NOW, this 30th day of June, 2009, after the Plaintiff, James E. McCoy, filed an action in the above-captioned case, and after a Motion for Summary Judgment was filed by defendants, and after a Report and Recommendation was filed by the United States Magistrate Judge granting the parties until June 15, 2009, to file written objections thereto, upon consideration of the objections filed by plaintiff and the response to those objections filed by defendants, and upon independent review of the record, and upon consideration of the Magistrate Judge's Report and Recommendation, which is adopted as the opinion of this Court,

IT IS HEREBY ORDERED that the Medical Defendants' Motion for Summary Judgment, Dkt. [108], is granted.

IT IS FURTHER ORDERED that, pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, if the parties/plaintiff/defendant desire(s) to appeal from this Order

they/he/she must do so within thirty (30) days by filing a notice of appeal as provided in Rule 3,  
Fed. R. App. P.

  
NORA BARRY FISCHER  
United States District Judge

cc: Honorable Amy Reynolds Hay  
United States Magistrate Judge

James E. McCoy  
HG--2351  
S.C.I. at Somerset  
1600 Walters Mill Road  
Somerset, PA 15510

All Counsel of Record by electronic filing